

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: Thomas Amaro III aka Thomas Amaro
Catalina Rodriguez Perez aka Catalina
Rodriguez aka Catalina Amaro aka Catalina Perez
Debtor(s)

BK. NO. 21-01128 MJC

CHAPTER 13

Lakeview Loan Servicing LLC

Movant

v.

Thomas Amaro III aka Thomas Amaro
Catalina Rodriguez Perez aka Catalina Rodriguez aka
Catalina Amaro aka Catalina Perez

Debtor(s)

and

Jack N. Zaharopoulos

Trustee

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Date: October 20, 2021

/s/ Rebecca A. Solarz, Esq.

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE: Thomas Amaro III aka Thomas Amaro
Catalina Rodriguez Perez aka Catalina
Rodriguez aka Catalina Amaro aka Catalina Perez
Debtor(s)**

CHAPTER 13

**Lakeview Loan Servicing LLC
Movant
vs.**

NO. 21-01128 MJC

**Thomas Amaro III aka Thomas Amaro
Catalina Rodriguez Perez aka Catalina Rodriguez
aka Catalina Amaro aka Catalina Perez
Debtor(s)**

11 U.S.C. Section 362

**Jack N. Zaharopoulos
Trustee**

**MOTION OF Lakeview Loan Servicing LLC
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is Lakeview Loan Servicing LLC.
2. Debtor(s) is/are the owner(s) of the premises 9029 Idlewild Dr, Tobyhanna, PA 18466, hereinafter referred to as the mortgaged premises.
3. Jack N. Zaharopoulos, is the Trustee appointed by the Court.
4. Movant is the holder of a mortgage, original principal amount of \$103,312.00 on the mortgaged premises that was executed on August 10., 2011. The mortgage has been assigned as follows:
Wells Fargo Bank, N.A., to Lakeview Loan Servicing, LLC filed on April 8, 2019 at Instrument Number 20907825 in Monroe County
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$718.19 for the months of August 2021 through October 2021. The debtor's suspense balance is \$668.72.
7. The total amount necessary to reinstate the loan post-petition is \$1,485.85.

8. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgaged premises.

Date: October 20, 2021
/s/ Rebecca A. Solarz, Esq.

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